

REFERENCE TITLE: *petition circulators; candidate; forgery*

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1185

Introduced by
Senator Garcia

AN ACT

AMENDING SECTION 16-321, ARIZONA REVISED STATUTES; RELATING TO NOMINATING PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-321, Arizona Revised Statutes, is amended to
3 read:

4 16-321. Signing and certification of nomination petition;
5 petition forgery

6 A. Each signer of a nomination petition shall sign only one petition
7 for the same office unless more than one candidate is to be elected to such
8 office, and in that case not more than the number of nomination petitions
9 equal to the number of candidates to be elected to the office. A signature
10 shall not be counted on a nomination petition unless the signature is upon a
11 sheet bearing the form prescribed by section 16-314.

12 B. For the purposes of petitions filed pursuant to sections 16-312,
13 16-313, 16-314 and 16-341, each signer of a nomination petition shall be a
14 voter who at the time of signing is a registered voter in the electoral
15 district of the office the candidate is seeking.

16 C. If an elector signs more nomination petitions than permitted by
17 subsection A of this section, the earlier signatures of the elector are
18 deemed valid, as determined by the date of the signature as shown on the
19 petitions. If the signatures by the elector are dated on the same day, all
20 signatures by that elector on that day are deemed invalid. Any signature by
21 that elector on a nomination petition on or after the date of the last
22 otherwise valid signature is deemed invalid and shall not be counted.

23 D. The person before whom the signatures were written on the signature
24 sheet shall be qualified to register to vote in this state pursuant to
25 section 16-101 and shall verify that **THE CIRCULATOR WITNESSED THE SIGNATURES**
26 **OF** each of the names on the petition ~~was signed in his presence~~ on the date
27 indicated, and that in his belief each signer was a qualified elector who
28 resides at the address given as the signer's residence on the date indicated
29 and, if for a partisan election, that each signer is a member of the party
30 the nomination of which the candidate whose name appears on the nomination
31 petition is seeking. The way the name appears on the petition shall be the
32 name used in determining the validity of the name for any legal purpose
33 pursuant to the election laws of this state. Signature and handwriting
34 comparisons may be made.

35 E. A CANDIDATE WHO KNOWINGLY SIGNS THE CANDIDATE'S OWN PETITION AS A
36 CIRCULATOR AS PRESCRIBED IN SUBSECTION D OF THIS SECTION AND WHO DOES NOT
37 WITNESS THE SIGNATURES OF ALL PERSONS WHO SIGNED THE PETITION IS GUILTY OF
38 PETITION FORGERY.